

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Thomas A. Harris, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Deputy Clerk.

F029137 Alcala v. Fresno Chrysler-Plymouth

Cause called and argued by William M. Krieg, Esq., counsel for appellant and by Christopher Arras, Esq., counsel for respondent.

Cause ordered submitted.

F027357 Vasquez v. Williams, et al.; Action Surge Company, Inc.
F027459 Vasquez v. Action Surge Company, Inc.

Cause called and argued by Daniel J. Gonzalez, Esq., counsel for appellant, Walker L. Williams, et al., and by Roy G. Weatherup, Esq., counsel for appellant, Action Surge Company, Inc. Jim Wilson, Esq., counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Monday, July 12, 1999 at 1:45 P.M.

The court reconvened in its courtroom at 1:45 P.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Thomas A. Harris, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

F027448 Turlock Irrigation District v. Associated Electric & Gas Ins., et al.

Cause called and argued by Paul M. Ostroff, Esq., counsel for appellant and by Larry M. Golub, Esq., counsel for respondent.

Cause ordered submitted.

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F028300 People v. Perez-Garcia, et al.

Cause called and argued by Catherine Campbell, Esq., counsel for appellant Noel Garcia.; Marisa Nayfach, Esq., counsel for appellant Pedro Perez-Garcia waived oral argument; Ross Thomas, Esq., counsel for appellant Jose Pacheco waived oral argument and Thomas Y. Shigemoto, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Tuesday, July 13, 1999 at 10:00 A.M.

F030824 People v. Najera

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F031328 People v. Cubie

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F032317 In re Horacio A., a Minor

As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030789 People v. Vasquez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031199 People v. Chavez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F030651 People v. Sanders, et al.

The judgments are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032004 In re Fendi D., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032234 In re William B., a Minor

Following independent review of the record we find that with the exception of the errors discussed above, no reasonably arguable factual or legal issues exist. The matter is remanded to the juvenile court so that it may 1) determine the number of days of predisposition credit William is entitled to against the term imposed for this vehicle theft offense; and 2) enter a finding that William's robbery offense is not a section 707, subdivision (b) offense. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031671 People v. Mahaffey

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031854 People v. Sullivan

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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- F031265** **People v. Garibay**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F031231** **People v. Gonzalez**
The conviction as to count 2 is reversed. In all other respects, the judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F032043** **In re Omar R., a Minor**
The orders of the juvenile court are affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F021146** **Castillo v. Patio Industries**
Judgment affirmed. Costs to respondent.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F030996** **People v. Goodson**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F028398** **People v. Tkac et al.**
The judgment is affirmed with modifications. Levy, J.
We concur: Ardaiz, P.J.; Stone (W.A.), J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F031538 People v. West

The judgment as to count three is vacated, and the trial court is directed to enter an appropriate order to correct records. As to counts one and two, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031578 People v. Bunderson

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031520 People v. Romero

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031503 People v. Petz

The judgment of conviction is affirmed and the sentence is vacated. The matter is remanded to the trial court with directions to sentence defendant consistent with the original plea bargain or to permit him to withdraw his pleas and admissions.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030315 People v. Martinez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033094 In re Eric H., a Minor

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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F030666 People v. Resma, Sr.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F032374 In re Jasmine A., et al., Minors

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F027577 County of Fresno v. Anderson, et al.

F028733 California Nurses Association et al. v. County of Fresno

The trial court's order granting the preliminary injunction in County v. Anderson (575011-2; F027577) is affirmed. The judgment in CNA et al. v. Fresno County (575035-1; F027833) is affirmed. Costs to respondents. Ardaiz, P.J.

We concur: Vartabedian, J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033281 Elizabeth N. v. The Superior Court of Tulare County; Tulare County Department of Social Services

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030254 People v. Luerra

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027994 People v. Deloney

F029119 In re Jameel Malik Deloney On Habeas Corpus

The judgment is affirmed and the petition for writ of habeas corpus denied. Ardaiz, P.J.

We concur: Vartabedian, J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F033289 Juanita L. v. The Superior Court Of Tulare County;Tulare County
Department of Social Services**

In light of the fact that no timely petition for extraordinary writ has
been filed, above entitled proceeding is dismissed as abandoned.